

SEALED

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON GRAND JURY 2021  
JANUARY 25, 2022 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:22-cr-00010  
21 U.S.C. § 841(a)(1)  
18 U.S.C. § 924(c)(1)(A)(i)

TED ALLEN TOPEKA, SR.

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

On or about August 1, 2021, at or near Omar, Logan County, West Virginia, and within the Southern District of West Virginia, defendant TED ALLEN TOPEKA, SR. knowingly and intentionally possessed with intent to distribute 40 grams or more of a mixture containing N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as "fentanyl," a Schedule II controlled substance, and 100 grams or more of a mixture containing heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

On or about August 1, 2021, at or near Omar, Logan County, West Virginia, and within the Southern District of West Virginia, defendant TED ALLEN TOPEKA, SR. did knowingly possess a firearm, that is, a Ruger .380, handgun, in furtherance of a drug trafficking crime for which defendant TED ALLEN TOPEKA, SR., may be prosecuted in a court of the United States, that is, possession with intent to distribute controlled substances in violation of 21 U.S.C. § 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

**FORFEITURE**

In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of defendant TED ALLEN TOPEKA, SR. of a violation of 18 U.S.C. § 924(c)(1)(A) as charged in Count Two of this Indictment, defendant TED ALLEN TOPEKA, SR. shall forfeit to the United States any firearms and ammunition involved in or used in such firearm offenses, including, but not limited to the Ruger .380 caliber pistol and all related ammunition.

WILLIAM S. THOMPSON  
United States Attorney

By: \_\_\_\_\_

NICHOLAS M. MILLER  
Assistant United States Attorney